

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Yaver et al.

Confirmation No: To be assigned

Serial No.: To be assigned

Group Art Unit: To be assigned

Filed: November 18, 2003

Examiner: To be assigned

For: Promoter Variants for Expressing Genes in a Fungal Cell

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, DC 20231

Sir:

Before examination, please amend the above-identified application as follows:

**AMENDMENTS TO THE CLAIMS:**

Claims 2-9, 11-24, 29, 32-52, 54-61, 63-76, 81, and 84-86 are canceled without prejudice or disclaimer. Claims 1, 10, 25-28, 30-31, 53, 62, 77-80, 82-83, and 87-90 are pending. The following is the status of the claims of the above-captioned application, as amended.